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13. ABSTRACT (Maximum 200 Words) This Directive reissues DoD Directive 1310.1, dated October 15, 1981; implements sections 541, 620, 641, 741, 2106, and 2107 of Title 10, United States Code, to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Active Duty List; and implements sections 12207, 12320, 14002, 14003, and 14317 of Title 10, United States Code, to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Reserve Active Status List.			
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Department of Defense DIRECTIVE

Supersedes AD-A269 637

DoD D-1310.1

April 29, 1996
NUMBER 1310.1

USD(P&R)

SUBJECT: Rank and Seniority of Commissioned Officers

- References: (a) DoD Directive 1310.1, subject as above, October 15, 1981 (hereby canceled)
(b) Title 10, United States Code
(c) DoD Directive 1320.7, "Grades, Promotion Policies, Age and Authorized Strengths in Grade for Medical and Dental Officers," September 29, 1993
(d) DoD Directive 1312.2, "Entry Grade Credit for Health Services Officers," October 4, 1989
(e) DoD Directive 1312.3, "Service Credit for Commissioned Officers," October 22, 1985
(f) Public Law 103-337, "National Defense Authorization Act for Fiscal Year 1995," October 5, 1994

A. REISSUANCE AND PURPOSE

This Directive:

1. Reissues reference (a).
2. Implements Sections 541, 620, 641, 741, 2106, and 2107 of reference (b) to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Active Duty List.
3. Implements Sections 12207, 12320, 14002, 14003, and 14317 of reference (b) to establish policies governing the determination of the dates of rank and precedence of commissioned officers on the Reserve Active Status List.

B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense and the Military Departments.

C. DEFINITIONS

1. Active Duty List. A single list for the Army, the Navy, the Air Force, or the Marine Corps that is required to be maintained under Section 620 of reference (b) and that contains the names of all officers of that Military Service other than officers described in Section 641 of reference (b) who are serving on active duty.

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2. Commissioned Officer. An officer in any of the Military Services who holds a grade and office under a commission signed by the President, and who is appointed as a Regular or Reserve officer. It does not include a commissioned warrant officer or a retired commissioned officer.

3. Reserve Active Status List. A single list for the Army, the Navy, the Air Force, or the Marine Corps, required to be maintained under Section 14002 of 10 U.S.C. (reference (b)), which contains the names of all officers of that Armed Force, except warrant officers (including commissioned warrant officers) who are in an active status in a Reserve component of the Army, the Navy, the Air Force, or the Marine Corps and are not on an Active Duty List.

4. Service Academies. United States Military Academy, United States Naval Academy, and United States Air Force Academy.

D. POLICY

1. General. It is the policy of the Department of Defense to ensure, to the maximum extent practicable, that the relative seniority of commissioned officers who are placed on the Active Duty List or Reserve Active Status List is determined uniformly and equitably among the Military Services.

2. Commissioned Officer Grades. Among the grades listed below, the grades of general and admiral are equivalent and are senior to other grades; the grades of second lieutenant and ensign are equivalent and are junior to other grades.

<u>Army, Air Force, and Marine Corps:</u>	<u>Navy</u>
General	Admiral
Lieutenant General.....	Vice Admiral
Major General	Rear Admiral
Brigadier General.....	Rear Admiral (lower half)
Colonel.....	Captain
Lieutenant Colonel.....	Commander
Major.....	Lieutenant Commander
Captain	Lieutenant
First Lieutenant	Lieutenant (junior grade)
Second Lieutenant	Ensign

3. Equivalent Grade Ranking. Rank among commissioned officers of the same grade or of equivalent grades is determined by comparing dates of rank. An officer whose date of rank is earlier than the date of rank of another officer of the same or equivalent grade is senior to that officer, except for the Chairman and the Vice Chairman, Joint Chiefs of Staff, who respectively outrank all other officers of the Armed Forces.

4. Date of Rank of Regular Officers Other Than Academy Graduates. Except as provided in subsection D.6., below, the date of rank of a person originally appointed as a regular commissioned officer in the Army, Navy, Air Force, or Marine Corps is the date of that appointment unless:

a. The appointee was, at the time of appointment, a Reserve officer on the Active Duty List, in which case the date of rank is the same as that which the officer held immediately before his or her appointment as a regular officer;

b. The appointee was, at the time of appointment, a Reserve officer not on the Active Duty List, in which case the date of rank is the same as that which the officer would have held immediately before appointment as a regular officer had the officer been serving on the Active Duty List as a Reserve officer on the date of appointment as a regular officer; or,

c. The appointee is credited with service credit, in which case the date of rank shall be adjusted to an earlier date to the extent that the service credit awarded is in excess of that required for the officer's appointment grade under DoD Directives 1320.7, 1312.2, or 1312.3 (reference (c), (d), or (e)).

5. Date of Rank for Officers in Transition to and from the Reserve Active Status List and Active Duty List. A Reserve component officer ordered to active duty and placed on the Active Duty List in the Army, Navy, Air Force, or Marine Corps maintains his or her rank and date of rank under Section 741(d)(3) of 10 U.S.C. (reference (b)).

a. Effect of Placement on Active Duty List. An officer on the Reserve Active Status List and on a promotion list as a result of selection for promotion by a mandatory promotion board or a special selection board and, who before being promoted is placed on the Active Duty List of the same Armed Force and placed in the same competitive category, shall be placed on an appropriate promotion list for officers on the Active Duty List under Section 14317(b) of reference (b). The effective date of promotion and date of rank shall be the same as if the officer had been selected to the grade concerned by the promotion board for Active Duty List officers.

b. Officers on a Promotion List Removed from the Active Duty List. An officer on the Active Duty List and on a promotion list as a result of selection for promotion and who before being promoted is removed from the Active Duty List and placed on the Reserve Active Status List of the same Armed Force and in the same competitive category (including a Regular officer who on removal from the Active Duty List is appointed as a Reserve officer and placed on the Reserve Active Status List) shall be placed on an appropriate promotion list pursuant to Section 14317(c) of reference (b). The effective date of promotion and date of rank shall be the same as if the officer had been selected to the grade concerned by the promotion board for Reserve Active Status List officers. If the Secretary of the Military Department concerned determines circumstances exist such that an inequity would result in following the foregoing method in determining date of rank, he or she may set the date of rank.

c. Transition Provision for Officers on the Reserve Active Status List Selected for Promotion before October 1, 1996 but not yet Promoted as of that Date. These officers will be treated as if they had been selected by a promotion board under Section 14101(a) of reference (b). They will be promoted with a date of rank as determined by the Secretary of the Military Department concerned such that they are senior to those officers selected by a subsequent mandatory promotion board.

6. Date of Rank for Second Lieutenants or Ensigns Appointed in May or June. The date of rank of second lieutenants or ensigns appointed under Section 2106 or 2107 of 10 U.S.C. (reference (b)) in May or June of any year who enter active duty during either of those months is the date that the class of cadets or midshipmen was graduated from the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy, as the case may be, in that year. Such appointees who enter active duty before the graduation date of the appropriate Service Academy may take precedence over academy graduates. Within such groups of Section 2106 or 2107 of reference (b) appointees, distinguished military graduates may take precedence. In these cases, tiebreakers described in subsection D.7., below, apply.

7. Ranking Officers with the Same Grade and Date of Rank. Graduates of Service Academies shall be placed initially on the Active Duty List of their Military Service in order of their class standing at the Service Academy from which graduated. As an exception, academy graduates appointed in another Military Service under Section 541 of reference (b) shall be placed on the Active Duty List of the gaining Military Service by integrating their class standing into the class standings of the graduates of the academy of the gaining Military Service. All other officers who have the same or equivalent grades and the same date of rank shall rank in order of seniority based on the following criteria:

- a. Previous grade's date of rank or, if the same, the date of rank in an earlier grade.
- b. Previous active duty grade relative seniority (if applicable).
- c. Total active commissioned service.
- d. Total Federal commissioned service or date of appointment as a commissioned officer.
- e. Further differentiation as established by the Secretary of the Military Department concerned.

8. Temporary Appointments or Grades Held by Reason of Assignment. A commissioned officer whose position on the Active Duty List or Reserve Active Status List results from service in a temporary appointment or in a grade held by reason of assignment has, when that appointment ends, the grade and position on the Active Duty List or Reserve Active Status List that he or she would have held had he or she not received that appointment or assignment.

E. RESPONSIBILITIES

1. The Under Secretary of Defense for Personnel and Readiness shall exercise cognizance and oversight of policies involving rank and seniority of commissioned officers.

2. The Secretaries of the Military Departments shall:

- a. Comply with the policies and procedures prescribed herein.

b. Ensure compliance with the transition provisions of Sections 1681 through 1693 of reference (f).

c. Recommend policy changes to this Directive to the Under Secretary of Defense for Personnel and Readiness.

F. EFFECTIVE DATE

This Directive is effective immediately for officers on the Active Duty List, and on October 1, 1996, for officers on the Reserve Active Status List or in transition to and from the Active Duty List and the Reserve Active Status List.



John P. White
Deputy Secretary of Defense